
SUBSTITUTE SENATE BILL 5873

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Hargrove, Regala, Carrell, Mulliken, Schmidt, Zarelli, Deccio, Benson, McCaslin, Delvin, Brandland, Johnson, Hewitt, Kohl-Welles and Pflug)

READ FIRST TIME 02/28/05.

1 AN ACT Relating to duties of the family and children's ombudsman;
2 and amending RCW 43.06A.030.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.06A.030 and 1996 c 131 s 4 are each amended to read
5 as follows:

6 The ombudsman shall perform the following duties:

7 (1) Provide information as appropriate on the rights and
8 responsibilities of individuals receiving family and children's
9 services, and on the procedures for providing these services;

10 (2) Investigate, upon his or her own initiative or upon receipt of
11 a complaint, an administrative act alleged to be contrary to law, rule,
12 or policy, imposed without an adequate statement of reason, or based on
13 irrelevant, immaterial, or erroneous grounds; however, the ombudsman
14 may decline to investigate any complaint as provided by rules adopted
15 under this chapter;

16 (3) Monitor the procedures as established, implemented, and
17 practiced by the department to carry out its responsibilities in
18 delivering family and children's services with a view toward

1 appropriate preservation of families and ensuring children's health and
2 safety;

3 (4) Review periodically the facilities and procedures of state
4 institutions serving children, and state-licensed facilities or
5 residences;

6 (5)(a) Investigate individual casework of randomly chosen caseload-
7 carrying child protective services and child welfare services employees
8 of the department of social and health services throughout the state.
9 Casework reviewed must be from any currently open cases and cases
10 closed within the last year.

11 (i) Investigations must address employee compliance with the
12 following: (A) Employee training; (B) department policies and
13 procedures; (C) state and federal law; (D) safety and risk assessment;
14 and (E) case investigation.

15 (ii) Investigations must include caseload levels and access to
16 clerical support.

17 (b) Investigate supervisors of caseload-carrying child protective
18 services and child welfare services employees of the department for
19 compliance with: (i) Employee training requirements; (ii) department
20 policies and procedures; (iii) state and federal law; (iv) critical
21 thinking and clinical analysis; (v) availability to and communication
22 with staff; and (vi) accountability;

23 (6) Recommend changes in ~~((the))~~ agency policies or procedures for
24 addressing the needs of families and children;

25 ~~((+6+))~~ (7) Submit annually to the legislative children's oversight
26 committee and to the governor by November 1 a report analyzing the work
27 of the office including recommendations for changes in department
28 policy, state law, or funding;

29 ~~((+7+))~~ (8) Grant the legislative children's oversight committee
30 access to all relevant records in the possession of the ombudsman
31 unless prohibited by law; and

32 ~~((+8+))~~ (9) Adopt rules necessary to implement this chapter.

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